

**MEETING MINUTES  
BOARD OF SELECTMEN  
March 22, 2016**

**Present:** Anthony Vegnani, Chairman, John Danehey, Maura Curran, Martin O'Toole  
Patricia Vinchesi, Town Administrator

Shawn Harris was not present at this meeting

The Meeting was called to order at 7:06 p.m.

**Acceptance of Agenda**

**Mr. O'Toole made a MOTION to accept the agenda for March 22, 2016. Second by Ms. Curran, all in favor. Unanimous vote (4-0).**

**Walk Ins** – Mr. Daniel Monger has received private donations for the Scituate Skate Park. \$13,964.13 is received to date. **Motion to accept a donation in the amount of \$13,964.13 from the Friends of Scituate Recreation to be used for the skate park. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

**Report of the Town Administrator – Patricia Vinchesi**

- Public Facilities Update – The library project roof design is being worked on. The public safety building temporary curb cut will be done. Everything will be in place for the delivery of the steel. Over the course of a week the contractor will be bringing it in. Notices will be provided.
- FEMA Update – There is a meeting with FEMA this Thursday with the Towns of Scituate, Marshfield and Duxbury. Leslie Fields from Woods Hole Group will be joining the Towns. There will be a report back to the Selectmen after the meeting.
- We are preparing for Town Meeting.
- Mr. Vegnani said the trucks are idling at the Scituate Town Library project. The Chief of Police had a meeting with the contractor last Thursday and the Project Manager. The start time is 7 a.m. Ms. Vinchesi has a copy of the letter sent to the contractor by Daedalus.

**SCHEDULED ITEMS:**

**Country Way Trail Contract**, Al Bangert, Special Projects Coordinator

Mr. Bangert provided an overview of the project. Bids for the construction of the first phase of the Trail were solicited. The engineering was paid for by the DPW in 2013. The trail will be granite curbed and six feet wide. It will meet all accessibility guidelines.

**Move that the Board of Selectmen vote to award the contract for the construction of the first phase of the Country Way Multi-Use Trail (Contract #16-CPC-3) to Aqualine Utility Inc. of Weymouth, MA in the amount of \$549,000 as specified in their bid response dated March 18, 2016. Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (4-0)**

**DPW Projects**, Kevin Cafferty, DPW Director & Sean McCarthy, Town Engineer

**Complete Streets Policy**

Mr. Cafferty reviewed the complete streets program run by the Governors office. Mr. Danehey asked about the formation of the committee. Mr. Cafferty said there are guidelines on who needs to be on the committee that will be addressed if approved at this meeting. The Town would be able to apply for grants under this policy. Jeffrey Calla 28 Kent Street asked how residents would be included in the decisions of where sidewalks are needed. Mr. Vegnani explained that there is a list for the Town that was reviewed and approved several years ago.

**Motion to accept the Complete Streets Policy. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

Mr. O'Toole asked about the status of sidewalks in the harbor. Mr. Cafferty said the DPW has made paint marks where there are cracks or damage to the sidewalks. There are two or three really bad areas that will be fixed sooner. There will be a bid that will go out to repair these areas. Mr. Danehey asked if the DPW can look at the pot hole across from Jamie's restaurant and fix it. Mr. Cafferty said he would take a look.

**MAPC South Shore Regional Services Consortium for Unit Price Contract Awards**

**Move that the Board of Selectmen award the contracts to provide Supplies and Services to the Department of Public Works to:**

**Roadway Management and Earth Materials - TL Edwards**

**Modified Crack Sealing - Crack Sealing Inc.**

**Trench Patch Repairs - Lorusso Corporation**

**Catch Basin Cleaning- Truax Corporation**

**Pavement Markings - Hi Way Safety Systems Inc.**

**Crack Sealing and Crosswalk Treatments - Sealcoating Inc.**

**Guardrail - Premier Fence**

**Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (4-0)**

Water trenches on various locations throughout Scituate, First Parish Road from Grove to Country Way, First Parish from Bell Tower Lane to the Railroad tracks drainage improvements and the roadway. Ms. Curran asked why it wouldn't be done from Cudworth down to the railroad tracks. Mr. Cafferty said they will look at that. The sidewalk is in bad condition and needs to be improved. Hatherly Road from First Ave. to Egypt Beach Road will be redone also. The upper section of Glades Road from Baileys Causeway to Gannet Road will be edge to edge paved and sidewalks. Beaver Dam and Tilden intersection will also be reviewed. These improvements are approximately \$1.8M-\$2M. Mr. Danehey asked where the money was coming from. Mr. Cafferty said it was Chapter 90 money and DPW funds. Ann Burbine, Pennycress Road said the parking lot that faces Gannett Road has bars sticking up and needs to be addressed. The island installed is not wide enough for handicap accessibility. Mr. Cafferty said he would take a look at it.

FY 17 Annual Town Meeting Items/Public Hearing FY 17 Budget

1. Reopening of April 14, 2016 ATM Warrant

**Move that the Board of Selectmen open the Warrant for the April 14, 2016 Annual Town Meeting. Motion by Mr. Danehey, Second by Mr. O'Toole Unanimous Vote (4-0)**

2. CPC Revisions, Article 12, Karen Connolly, Chair, Community Preservation Committee and Stephen Coulter, Scituate Housing Authority

**A. The Board of Selectmen vote to approve Article 12 Community Preservation items 1-4 and 14**

**1. \$182,051 from Community Preservation FY 2017 estimated revenues, to be reserved for the creation and support of Community Housing consistent with the Act;**

**2. \$182,051 from Community Preservation FY 2017 estimated revenues, to be reserved for acquisition and preservation of Historic Resources consistent with the Act;**

**3. \$182,051 from Community Preservation FY 2017 estimated revenues, to be reserved for acquisition and preservation of Open Space consistent with the Act;**

**4. \$ 91,026 from Community Preservation FY 2017 estimated revenues, for Administrative Expense of the Community Preservation Committee;**

**14. \$315,000 for Undesignated Funds – Central Park Cupola Restoration Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (4-0)**

**B. The Board of Selectmen vote to rescind the vote for CPC to purchase (6) club 420 boats for the Town Sailing Program. Motion by Mr. Danehey Second by Mr. O'Toole (4-0)**

3. CIP Projects/Funding, Article 4

The Selectmen agreed to remove gym foyer to discuss at the next Fall Town Meeting.

**Move to support the foreshore protection of \$200,000 capital from the Stabilization Fund. Motion by Ms. Curran Second by Mr. O'toole In favor Curran, Danehey, O'Toole Opposed Vegnani Motion passes (3-1)**

**Move to support the repair of flat roofs for Hatherly and Cushing Schools of \$280,000 capital from the Stabilization Fund. Motion by Ms. Curran Second by Mr. O'Toole In favor Curran, Danehey, O'Toole Opposed Vegnani Motion passes (3-1)**

**Move to support the replacement of a 2007 ambulance \$295,000 capital from the Stabilization Fund. Motion by Ms. Curran Second by Mr. O'Toole In favor Curran, Danehey, O'Toole Opposed Vegnani Motion passes (3-1)**

**Move to support the funding for six (6) Club 420 boats for Scituate Recreation Motion to \$45,474 to be funded by free cash Motion by Ms. Curran Second by Mr. O'Toole Unanimous Vote (4-0)**

4. Other Revisions/Comments on Budget

No other comments or revisions on budget were discussed.

5. Revised April 14, 2016 Annual Town Meeting Warrant

The Selectmen reviewed the warrant. No further discussion.

Water Conservation Plan, John Clarkeson, Chairman Water Resource Commission

Mr. Clarkeson discussed the development of the Water Conservation Plan and it is a step that each community takes. The Water Resource Commission is looking for additional members who have an experience in waste water. Samantha said there are some communities that are ahead of the curve but Scituate is right up there with them. The Town has looked at our natural resources to see how healthy our water supply is currently. There is a lot of work to be done to incorporate water conservation measures.

### **Traffic Rules and Regulations Committee Recommendations, MAPC Parking Study.**

Lieutenant Mark Thompson

Lt. Thompson attended the Board of Selectmen meeting to discuss the MAPC parking study. Currently, from an enforcement standpoint it is relatively inconsistent. The tiered elements to parking were reviewed for 2 hour parking, all day parking and overnight parking. One way areas were reviewed and the group agrees the one way traffic pattern is a good approach. We want to make it safer for people and have an effective traffic flow. A traffic flow change is recommended. The MAPC study said our signs are very inconsistent and this needs to be addressed. Outside of the Harbormasters office there would be the addition of a loading zone so people bringing things to their boats can load and unload what they need. Handicap parking spaces and loading zones were identified on the plan. Pedestrian crossing areas are recommended within the plan. The Mill Wharf area is privately owned and was not included in the Traffic Rules and Regulations Committee recommendations. The Town Pier needs better signage and clearly delineated for the public and fisherman. Restriping and signage on Front Street are under consideration. The Selectmen would like to put this on a future agenda for discussion when Mr. Harris can review. We can add this to an upcoming agenda after review by Traffic Rules & Regulations.

Borrowing, Pam Avitabile, Treasurer Collector

1. Interfund Borrowing from the Stabilization Fund

Move that the Board of Selectmen approve the Interfund Borrowing request prepared by the Treasurer collector in the amount of \$1,025,000 for Phase II of the ESCO project and the Chain Pond Pumping Station. Motion by Mr. Danehey Second by Mr. O’Toole  
Unanimous Vote (4-0)

2. Refunding of General Obligation Bonds

Ms. Avitabile, Ms. Holt, and Ms. Vinchesi participated in an S&P rating conference call and we were rated a AA+ and we were able to refund this bond at 1.39% resulting in a significant savings for the Town.

**VOTE OF THE BOARD OF SELECTMEN**

**I, the Clerk of the Board of Selectmen of the Town of Scituate, Massachusetts (the “Town”), certify that at a meeting of the board held March 22, 2016, of which meeting all members of the board were duly notified and at which a quorum was present, the following votes were unanimously passed, all of which appear upon the official record of the board in my custody:**

**Voted: That in order to reduce interest costs, the Treasurer is authorized to issue refunding bonds, at one time or from time to time, pursuant to Chapter 44, Section 21A of the General Laws, or pursuant to any other enabling authority, to refund all of the Town’s \$11,906,000 General Obligation Municipal Purpose Loan of 2005 Bonds dated March 1, 2005 maturing on and after March 1, 2017 (collectively, the “Refunded Bonds”) and that the proceeds of any refunding bonds issued pursuant to this vote shall be used to pay the principal, redemption premium and interest on the Refunded Bonds and costs of issuance of the refunding bonds.**

**Further Voted: that the sale of the \$3,805,000 General Obligation Refunding Bonds of the Town dated March 30, 2016 (the “Bonds”), to Raymond James & Associates, Inc. at the price of \$4,144,539.60 and accrued interest is hereby approved and confirmed. The Bonds shall be payable on March 1 of the years and in the principal amounts and bear interest at the respective rates, as follows:**

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
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2017	\$460,000	4.00%	2022	\$445,000	4.00%
2018	455,000	4.00	2023	445,000	4.00
2019	455,000	4.00	2024	430,000	2.00
2020	450,000	4.00	2025	220,000	2.00
2021	445,000	4.00			

**Further Voted:** that in connection with the marketing and sale of the Bonds, the preparation and distribution of a Notice of Sale and Preliminary Official Statement dated March 9, 2016, and a final Official Statement dated March 15, 2016 (the “Official Statement”), each in such form as may be approved by the Town Treasurer, be and hereby are ratified, confirmed, approved and adopted.

**Further Voted:** to authorize the execution and delivery of a Refunding Escrow Agreement to be dated March 30, 2016, between the Town and U.S. Bank National Association, as Refunding Escrow Agent.

**Further Voted:** that the Town Treasurer and the Board of Selectmen be, and hereby are, authorized to execute and deliver a continuing disclosure undertaking in compliance with SEC Rule 15c2-12 in such form as may be approved by bond counsel to the Town, which undertaking shall be incorporated by reference in the Bonds, as applicable, for the benefit of the holders of the Bonds from time to time.

**Further Voted:** that we authorize and direct the Treasurer to establish post issuance federal tax compliance procedures in such form as the Treasurer and bond counsel deem sufficient, or if such procedures are currently in place, to review and update said procedures, in order to monitor and maintain the tax-exempt status of the Bonds.

**Further Voted:** that each member of the Board of Selectmen, the Town Clerk and the Town Treasurer be and hereby are, authorized to take any and all such actions, and execute and deliver such certificates, receipts or other documents as may be determined by them, or any of them, to be necessary or convenient to carry into effect the provisions of the foregoing votes.

I further certify that the agenda for the meeting, a copy of which is attached hereto, was posted on the bulletin board of the town at least 24 hours before the meeting in compliance with Section 7-11 of the Town Charter.

I further certify that the votes were taken at a meeting open to the public, that no vote was taken by secret ballot, that a notice stating the place, date, time and agenda for the meeting (which agenda included the adoption of the above votes) was filed with the Town Clerk and a

copy thereof posted in a manner conspicuously visible to the public at all hours in or on the municipal building that the office of the Town Clerk is located or, if applicable, in accordance with an alternative method of notice prescribed or approved by the Attorney General as set forth in 940 CMR 29.03(2)(b), at least 48 hours, not including Saturdays, Sundays and legal holidays, prior to the time of the meeting and remained so posted at the time of the meeting, that no deliberations or decision in connection with the sale of the Bonds were taken in executive session, all in accordance with G.L. c.30A, §§18-25, as amended.

Dated: March 22, 2016

Maura Curran

Clerk of the Board of Selectmen

AM 57497173.1

**Motion by Ms. Curran Second by Mr. O'Toole Unanimous Vote (4-0)**

**OLD BUSINESS:**

1. Foreclosure Judgement for 138 Stockbridge Road  
**As provided under MGL Chapter 60, Section 69, we Anthony V. Vegnani, Chairman, John F. Danehey, Vice Chairman, Maura C. Curran, Martin J. O'Toole, and Shawn Harris of the Board of Selectman of the Town of Scituate, hereby move to vacate the final judgment of the Land Court entered on December 9, 2015 in a tax lien foreclosure case entitled "Town of Scituate v. RDP Realty, LLC", and further identified by its Case No. 14 TL 149751, covering the property located at 138 Stockbridge Road, Scituate, Plymouth County, MA, and further identified on the Town of Scituate's Assessors' Map 54, Block 2, Lot 23-C; as reason that the former property owner made payment of \$53,778.86 to the Town Treasurer on March 15, 2016 of all amounts due to redeem the tax taking covering the property, which include, but are not limited to, taxes and interest to the date of payment, all charges and fees associated with the foreclosure case and any costs incurred by the Town in the care, custody and control of the property after the entry of the judgment. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**
2. Pedicab Licensing & Regulations, Sgt. Gerry O'Brien, Licensing Officer  
**Move that the Board of Selectmen approve the Pedicab Licensing and Regulations for the Town of Scituate. Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

**NEW BUSINESS:**

Appoint Election Worker Frederic S. Dorr, Sr.

**Move to approve Election Poll Worker Frederic S. Dorr Senior for 2016. Motion by Danehey Second by Ms. Curran Unanimous Vote (4-0)**

Set Poll Hours for 4/12/16 State Primary and 5/10/16 Election

**Move that the poll hours for the Special State Primary to be held on Tuesday, April 12, 2016 and the Special State Election to be held on Tuesday, May 10, 2016 at the Scituate High School gymnasium located at 606 Chief Justice Cushing Way are 7 AM-8 PM.**

**Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

One Day Beer & Wine Licenses:

**Move that the Board of Selectmen approve one day beer and wine licenses for the Hospitable Hostess @ SBA 3/25/16 6-11 pm**

**Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (4-0)**

**Seasons Café @ GAR Hall 4/2/16 1-5 pm**

**Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

**Taylor Made Bartending @ SMC 4/2/16 6-11 pm**

**Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

**Bar Services @ SMC 4/3/16 11 am – 5 pm**

**Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (4-0)**

**Silent Chef @ GAR Hall 4/30/16 11 am – 2 pm**

**Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

**Silent Chef @ SMC 7/22/16 6 – 10 pm**

**Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

Annual Bed & Breakfast License: Oceanside Inn

**Move that the Board of Selectmen approve a Common Victualler and Bed & Breakfast license for Oceanside Inn Inc. for 2016. Motion by Mr. Danehey Second by Ms. Curran Unanimous Vote (4-0)**

Drainlayers License Renewal: Liminar Construction

**Move to approve a renewal of a Drain Layers License to Liminar Construction.**

**Motion by Mr. Danehey Second by Mr. O'Toole Unanimous Vote (4-0)**

**OTHER BUSINESS:**

Correspondence

DeCommisioning Pilgrim Nuclear Power Plant Meeting 3/23

EPA acknowledged Scituate for hiring of Coastal Resource Officer in their monthly newsletter

Scituate High School Yearbook

Procedural error for the Public Safety Complex and corrective action will be discussed at the next planning board meeting to resolve.

Acceptance of Meeting Minutes

**Move that the Board of Selectmen approve the minutes for the March 8, 2016 Board of Selectmen meeting. Motion by Mr. Danehey Second by Ms. Curran Vote in Favor Curran, Vegnani, Danehey Abstained Mr. O'Toole Motion passed (3-0)**

Mr. O'Toole thanked the parade committee for a terrific parade enjoyed by all.

Ms. Curran and Mr. Harris attended the Adaptive Building Reuse Committee and heard the Durkee Brown readout. It was very informative and the committee is really doing their due diligence.

Ms. Curran attended the Mass Dept. of Transportation with Kevin Cafferty and Ann Burbine. They agreed to put a traffic light in but it is a long design and implementation project.

Mr. Vegnani officially signed the document for the land swap on Clapp Road. This was approved by the state.

3/26 Easter Egg Hunt at the Golf Course, Ship Shape Day and the Annual Town Meeting on 4/12.

The boys hockey team went all the way to the South Regional Finals and lost a close game 2-1.

Adjournment and Signing of Documents

**Motion to adjourn the Selectmen meeting by Mr. Danehey Second by Ms. Curran at 9:46 p.m. Unanimous Vote (4-0)**

Respectfully Submitted,

Lorraine Devin  
Recorder

List of documents Board of Selectmen Meeting March 22, 2016

- Agenda
- Upcoming Meetings & Events
- Country Way Trail Contract, Al Bangert
- DPW Projects, Kevin Cafferty
  - Complete Streets Policy
  - Contract Awards & Bid Tabulations
  - Draft on Road Paving Projects
- Town Meeting Warrant
- Palaza Group Cupolo Restoration – Scituate Housing Authority
- Water Conservation Plan
- Harbor District Parking Review
- Memo on Refunding of General Obligation Bonds
- S& P Rating on Scituate, Mass General Obligation
- Memo on Short Term Borrowing from Stabilization
- Interfund Borrowing for Phase II or ESCO Project
- Foreclosure on 138 Stockbridge Road
- Pedicab Licensing & Regulations
- Appoint Election Worker
- Set poll hours
- One day wine & malt licenses: Hospitable Hostess, Season's Café, Taylor Made Bartending, Silent Chef
- Renewal of Common Vic and Bed & Breakfast Licenses - Oceanside Inn
- Renewal for Luminar Construction drain layers license renewal
- Correspondence – RAINE Spotlight, SHS Yearbook
- Meeting Minutes for the Board of Selectmen meeting on 3/08/16.

Board of Selectmen Meeting Minutes for March 22, 2016

BOARD OF SELECTMEN

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Anthony V. Vegnani, Chairman

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John F. Danehey, Vice Chairman

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Maura C. Curran, Clerk

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Shawn Harris

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Martin J. O'Toole